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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TETSUYA NAKAMURA, an individual,  
  
Plaintiff,  
  
v.  
  
SUNDAY GROUP INCORPORATED, a  
Delaware corporation, *et al.*,  
  
Defendants.

Case No.: 2:22-cv-01324-MMD-EJY  
  
**STIPULATION AND [PROPOSED]  
SCHEDULING ORDER  
(Fourth Request)**

Plaintiff Tetsuya Nakamura and Defendants Sunday Group Incorporated, SGI Trust, Toshiki (Todd) Mitsuishi and James Pack (collectively, "Defendants"), by and through counsel, hereby stipulate as follows:

WHEREAS, as it stands, fact discovery must be completed by December 2, 2024, initial expert disclosures are due by December 30, 2024, rebuttal expert disclosures are due by January 30, 2025, the last day for filing dispositive motions is March 3, 2025, and a joint pretrial order is due by March 31, 2025, unless dispositive motions are pending (ECF No. 78);

WHEREAS, the parties have been diligently engaged in fact discovery; however, discovery in this matter has been complicated by the scope of the claims and counterclaims and the number of potentially responsive documents, the existence of a number of documents,

1 including communications, in a foreign language (Japanese), and because several potential  
2 witnesses are located in Japan;

3 WHEREAS, the parties have had several meet and confer conferences to discuss the  
4 scope of discovery and to try to resolve discovery disputes without court involvement;

5 WHEREAS, Defendants are continuing to review their records to search for documents  
6 that are responsive to existing discovery requests by Plaintiff, and Defendants' document  
7 production continues to progress on a rolling basis, but has been delayed in part due to  
8 Defendants' need to work with a document processing vendor, and in part due to the need to  
9 canvass multiple possible document custodians and data sources (e.g., emails, home drives,  
10 messaging applications);

11 WHEREAS, Defendants plan to complete their document production in response to  
12 existing discovery requests by Plaintiff, subject to any and all objections and Defendants' right to  
13 supplement under the Federal Rules of Civil Procedure, by January 15, 2025;

14 WHEREAS, Plaintiff represents that he has completed his document production in  
15 existing discovery requests by Defendants, subject to any and all objections and Plaintiff's right  
16 to supplement under the Federal Rules of Civil Procedure;

17 WHEREAS, the parties must then evaluate the need for any motions to compel, and in  
18 addition, the parties anticipate a need to schedule a number of depositions, at least one of which  
19 involves a foreign national residing abroad that will present logistical hurdles;

20 WHEREAS, the parties agree that an extension of current discovery deadlines is  
21 warranted;

22 IT IS ACCORDINGLY STIPULATED, pursuant to Civil Local Rule 6-1 and 6-2, that,  
23 subject to any further request for an extension of time:

- 24 1. Fact discovery shall be completed by April 2, 2025;
- 25 2. Initial expert disclosures shall be made no later than April 30, 2025. Rebuttal expert  
26 disclosures shall be made no later than May 30, 2025;
- 27 3. The last day for filing dispositive motions shall be July 3, 2025;
- 28

- 1 4. The joint pretrial order shall be due no later than July 30, 2025, unless dispositive  
2 motions are pending on that date in which case the due date for the joint pretrial order  
3 is automatically extended to 30 days after a decision is issued on such motions.  
4

5  
6 DATED: December 2, 2024

**CLYDE SNOW & SESSIONS**

7 By: /s/Timothy R. Pack  
Timothy R. Pack

8 Attorneys for Defendants  
9 SUNDAY GROUP INCORPORATED,  
10 SGI TRUST, TOSHIKI (TODD) MITSUISHI  
AND JAMES PACK  
11

12 DATED: December 2, 2024

**FENWICK & WEST**

13 By: /s/Casey O'Neil  
14 Casey O'Neill  
(electronically signed with permission)

15 Attorneys for Plaintiff  
16 TETSUYA NAKAMURA  
17

18 **ORDER**

19 IT IS SO ORDERED:

20  
21 THE HONORABLE ELAYNA J. YOUCHAH  
22 UNITED STATES MAGISTRATE JUDGE  
23

24 DATED: \_\_\_\_\_  
25  
26  
27  
28